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**Thirteenth Annual Report
of the Committee
to Conduct Continuing Studies
of Public and Private Services,
Programs and Facilities
for the Aging in
South Carolina**

June, 1982

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THIRTEENTH ANNUAL REPORT
OF THE
COMMITTEE TO CONDUCT
CONTINUING STUDIES OF
PUBLIC AND PRIVATE SERVICES,
PROGRAMS AND FACILITIES FOR
THE AGING

June 1982

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THIRTEENTH ANNUAL REPORT OF THE COMMITTEE TO CONDUCT
CONTINUING STUDIES OF PUBLIC AND PRIVATE SERVICES, PRO-
GRAMS AND FACILITIES FOR THE AGING

June 1982

I. INTRODUCTORY STATEMENT

*To the Honorable Richard W. Riley, Governor of South Carolina,
and Members of the General Assembly of South Carolina:*

The Committee is pleased to transmit the Thirteenth Annual Report of the Committee on Aging. Federal cutbacks have inevitably caused hardship for our older citizens, and the State and local Councils on Aging are striving hard to soften this impact. Every effort possible is being made to encourage volunteerism particularly with reference to reduced staff personnel.

Detailed information concerning legislation sponsored or supported by the Committee is covered in the report.

The Committee continues to sponsor and support realistic legislation of benefit to the elderly. The Homestead Exemption Act has been further refined by passage of an amendment to provide that a surviving spouse can transfer the exemption to a newly acquired dwelling place.

The Committee considered as very important the legislation that it sponsored on condominium conversion, so as to provide a time buffer for those losing their apartments because of conversion. The legislation passed the Senate handily but was unfortunately delayed in the House. Its passage cannot be effected this year. We anticipate sponsoring the legislation again next year.

The Community Long Term Care pilot project in Spartanburg, Cherokee and Union Counties has moved along successfully and has provided impetus for limited statewide expansion.

The revision of the Probate Code, which the Committee feels of paramount importance and has strongly supported, has continued to make progress, but legislative action will be delayed until next year.

The Pre-Retirement program managed by the South Carolina Retirement System has had excellent success. A nation-wide meeting on this program was held at Myrtle Beach last year and will be repeated in 1982.

Continuing education for older citizens on a free tuition basis subject to space available has grown in participation.

The Committee is extremely active on a year around basis, and countless inquiries come to it with respect to matters of interest to the elderly on both a statewide and national basis. We are continuously in contact with developments in Washington and are particularly grateful to Congressman Claude Pepper's Select Committee on Aging. We are fortunate that Congressman Butler Derrick of South Carolina is a member of this committee which assists us in obtaining information in an expeditious manner. While securing information from this Congressional committee we also transmit to it expressions and recommendations on pending matters.

Your chairman, members of the Committee and Ms. Keller H. Bumgardner have made frequent appearances before governmental and civic groups in connection with our work. Gubernatorial appointee Dr. C. Julian Parrish, who has great musical talent, wrote a song, "Old is Gold, It's OK," that was played at the White House Conference on Aging.

During the year, the Committee was instrumental in the development, in cooperation with the S. C. Commission on Aging, of a directory of housing available for senior citizens. This booklet, "Housing for Senior Citizens in South Carolina" is a compilation by county of facilities, eligibility requirements and amenities offered. The Committee is grateful for the assistance in this project provided by Karen Woods, legislative intern from Columbia College. This is the third year the College has placed a Social Work student with the Committee.

We are most appreciative for the cooperation that we receive from the Governor's Office, the Commission on Aging, the Department of Social Services, the Department of Health and Environmental Control, the Tax Commission, the Comptroller General's Office, the Department of Consumer Affairs, the State Housing Authority and numerous private groups.

The Committee will continue to strive to enhance the lives of our elderly by offering material support and encouragement for the fulfillment of their abundant talents. There are always fiscal and practical

limits but it is most gratifying that all elements of our society have become increasingly sensitized toward assistance and respect for our older citizens.

Respectfully submitted,

/s/HYMAN RUBIN, *Chairman*

Senator

/s/PATRICK B. HARRIS,

Vice Chairman

Representative

/s/WILLIAM W. DOAR, JR.

Senator

/s/PEDEN B. McLEOD

Senator

/s/HUDSON L. BARKSDALE

Representative

/s/H. PARKER EVATT

Representative

/s/REVEREND M. L. MEADORS, JR.

Gubernatorial Appointee

/s/DR. JULIAN PARRISH

Gubernatorial Appointee

/s/MRS. GLORIA H. SHOLIN

Gubernatorial Appointee

II. BRIEF HISTORY

In 1959 the first joint legislative committee "to study the needs and problems relating to the aged citizens in South Carolina," was created. Representative Martha Thomas Fitzgerald of Columbia was the first chairman. This Committee continued its work until 1963. By 1969 the need for a committee to study the problems of the elderly in South Carolina was again evident and the legislature created such a committee under Concurrent Resolution No. 1286. This Committee continued under the authority of continuing resolutions until 1978 when the General Assembly found "the Committee to Study Public and Private Services, Programs and Facilities of the Aging fulfills a necessary and continuing legislative need and that the functions of the Committee can be more properly fulfilled by a permanent Committee." (Act 402, Appendix D.)

The Committee is made up of three members of the Senate, appointed by the President of the Senate, three members of the House, appointed by the Speaker, and three members appointed by the Governor. Governor Richard W. Riley, then Senator from Greenville, served as Chairman from 1969-1976. Since 1977 until the present Senator Hyman Rubin has been Chairman and Representative Patrick B. Harris has served as Vice-Chairman. Other members currently serving are Senator William W. Doar, Jr., Senator Peden B. McLeod, Representative Hudson L. Barksdale, Representative Parker

H. Evatt, Reverend M. L. Meadors, Jr., Dr. C. Julian Parrish, and Mrs. Gloria H. Sholin. Former members who have contributed their time and talents to the Committee are listed in Appendix E.

Legislation recommended by the Study Committee on Aging enacted since 1969 is summarized in Appendix C. The current status of legislation related to aging interests introduced by the Committee and others during the 1982 session is included in Sections IV and V of this report. Population and voting statistics are contained in Appendices B and A respectively.

III. LEGISLATIVE PRIORITIES AND RECOMMENDATIONS, 1982 SESSION

The annual public hearing of the Study Committee on Aging was held on September 24, 1982, and brought out a large response. Thirty-one persons appeared before the Committee, and written testimony was also submitted. State agencies, commissions, organizations, service delivery groups and individual interests were represented.

The record of the hearing is available in the office of the Committee. Copies of the transcription were sent to interested state agencies and upon request to other organizations and individuals.

Following the hearing, the Committee met on November 19, 1981 to review the testimony and plan the outlook for work for the coming legislative session. Many ideas brought forward in the public hearing and through other contacts were very helpful, pointing to present and future needs and contributing valuable guidance as to immediate priorities.

The Committee's legislative priorities and recommendations for the 1982 session were announced December 1981 as follows:

The Study Committee on Aging will move forward individually and collectively, in support of the following legislation:

LEGISLATION PENDING:

Condominium Conversion	S.289	H.2517
School Bus Use	S.236	
Natural Death Act		H.2320
Death with Dignity		H.2659
S. C. Probate Code	S.351	H.2587
Medicare Supplement Insurance, Group Loss		
Ratio		H.2990

Health and Hospitalization Insurance, and "Free Look"	S. 62	
Homestead Exemption, Transfer by Surviving Spouse	S.439	H.2723
Regional Transportation Authority	S.290	
S. C. Residential Landlord and Tenant Act		H.2539
Victims Compensation Board		H.2435

LEGISLATION TO BE FILED

Consumer Representation:

Provision for public members on licensing boards: Podiatry, Occupational Therapy, Physical Therapy, Speech Pathology and Audiology, Psychology, Optometry and Opticianry.

Mental Health:

Revision of emergency and involuntary commitment procedures and transportation of patients.

State Taxes:

Equalization of exemptions and deductions of gift and estate taxes to match current federal levels. Increase income tax deduction for volunteer mileage (9¢) to match business mileage deduction (18¢).

APPROPRIATION REQUESTS

Cost of Living Adjustment for State Retirees:

The Budget and Control Board has recommended a 1% cost of living adjustment from the General Fund for State retirees to supplement the 4% from the Retirement System. The Committee will encourage a 2% Cost-of-Living adjustment.

Community Long Term Care Project:

The Budget and Control Board has supported the funding level of \$965,000 requested by DSS for the Project. The Committee will seek to sustain this amount throughout the budget process.

Commission on Aging:

The Budget and Control Board has recommended \$1,315,892. The Committee will assist the Commission in seeking consideration of agency priorities which were not funded by the Budget and Control Board.

ISSUES

Retirement Income:

The Committee urges that every effort be made by the State Retirement System to increase the understanding by State employees of the basis on which cost-of-living adjustments are made. The Committee believes that retirement income should be determined at the best rate possible at the time of retirement.

The Committee will encourage the reinstatement of the 2% cost-of-living adjustment received by retirees in past years from the General Fund instead of the 1% recommended by the Budget and Control Board.

Retirement Housing:

The Committee will work with the Commission on Aging to compile a review of retirement housing facilities, statewide, public and private.

Governor's Resource Panel on Long Range Planning for the Elderly:

The Committee will work cooperatively in every way possible to support long range planning for the elderly and the development of a "Medically Needy" program.

Volunteerism:

The Committee supports increased volunteerism and will work to increase the mileage deduction for volunteers.

Senior Citizen's Day with the Legislature:

The Committee is working with the S. C. Federation of Older Americans, the Commission on Aging and the Governor's Office to provide an opportunity for mutual recognition, sharing and learning during Senior Citizens Day with the Legislature, March 3, 1982.

IV STATUS OF LEGISLATION INTRODUCED BY THE COMMITTEE ON AGING, 1981-1982

<i>Description</i>	<i>House No.</i>	<i>Senate No.</i>	<i>Status</i>
CONDOMINIUM CONVERSION:			
To establish rights and duties of owners, landlords and tenants when rental units are converted to condominium ownership.		S. 289	Passed Senate 2/4/82 Notice to vacate amended from 6 months to 4 months. Referred to House Labor Commerce and Industry, Real Estate Subcommittee. Referred House Labor Commerce and Industry 3/5/81.
	H. 2517		
DEATH WITH DIGNITY:			
To authorize an adult to make a written directive instructing his physician to withhold or withdraw life-sustaining procedures in the event of terminal condition.	H. 2659		Referred to House Medical, Military, Public and Municipal Affairs Committee, 4/2/81, tabled 1/26/82.
NATURAL DEATH ACT:			
To authorize an adult with a terminal condition to make a written directive instructing his physician to withhold or withdraw life-sustaining procedures and to provide a penalty.	H. 2320		Reported out House Judiciary Majority favorable, Minority unfavorable (12-8) 2/10/82. House Contested for second reading.

Description

HOMESTEAD EXEMPTION:

To Provide for a surviving spouse to transfer such exemption to a newly acquired dwelling place.

House No. Senate No.

S. 439

Status

Passed Senate 4/20/81

Passed House 5/14/82

R.449. Signed by Governor 5/25/82.

H. 2723

Referred to House Ways and Means 4/14/81.

To delete the provision requiring reapplication for such exemptions each year or at some other prescribed time and impose a penalty or lien for failure to notify the county auditor when the conditions for eligibility for such exemptions are changed.

S. 13

Referred to Senate Finance, reported out favorably. Passed Senate 1/29/81. Referred to House Ways and Means 2/3/81.

H. 2091.

Referred to House Ways and Means 1/13/81. Passed House 5/12/81, 2nd reading in Senate 5/20/81. Passed Senate 5/27/81. Signed by Governor June 4, 1981. Act 93, R. 138.

MENTAL HEALTH:

To permit the setting of hearings for Mental Health Judicial Commitment proceedings to be held on the same day as the designated examinations.

H. 3753

S. 897

Passed Senate 4/29/82.

Passed House 6/3/82.

R. 513, signed by Governor, 6/7/82.

<i>Description</i>	<i>House No.</i>	<i>Senate No.</i>	<i>Status</i>
To authorize friends and relations to transport individuals alleged to be mentally ill to the appropriate health treatment facility.	H. 3752		Referred to House Med., Mil., Pub. & Mun. Affairs Com., 3/25/82. <i>Passed Senate 4/29/82.</i> <i>Passed House with amendments, 5/19/82.</i> R. 478, signed by Governor, 6/3/82.
		<u>S. 898</u>	
SCHOOL BUSES: To provide for the use of school buses by agencies and associations serving the handicapped and elderly.		S. 155-S. 236	<i>Passed Senate 3/4/81.</i> Reported out Majority favorable, Minority unfavorable. On House Contested Calendar for second reading 4/23/81.
VOLUNTEERS: To provide for a tax deduction of eighteen cents for travel expenses for volunteer services for a charitable organization.	H. 3400		Referred to House Ways and Means Committee 1/21/82. Referred to Senate Finance Committee 1/28/82.
		S. 738	

V. STATUS OF SELECTED LEGISLATION RELATED TO AGING INTERESTS, 1982

<i>Description</i>	<i>House No.</i>	<i>Senate No.</i>	<i>Status</i>
CONSUMER REPRESENTATION:			
Relating to reauthorization of the S. C. Board of Occupational Therapy . . . to provide for one lay member appointed by the Governor with the advice and consent of the Senate.	H. 3667	<u>S. 869</u>	Tabled. <i>Passed Senate 4/29/82.</i> <i>Passed House 6/1/82.</i> R. 479, signed by Governor, 6/3/82.
Relating to reauthorization of the Board of Podiatry Examiners . . . to provide for one consumer member . . . appointed by the Governor; nominations to be received from any individual, group or association.	H. 3665	<u>S. 870</u>	Tabled. <i>Passed Senate 4/29/82.</i> <i>Passed House 6/1/82.</i> R. 482, signed by Governor, 6/3/82.
Relating to reauthorization of the State Board of Examiners on Speech Pathology and Audiology . . . to provide for one lay member, appointed by the Governor.	H. 3669	<u>S. 871</u>	Tabled. <i>Passed Senate 4/29/82.</i> <i>Passed House 6/3/82.</i> R. 512.
Relating to reauthorization of the State Board Examiners in Psychology . . . to provide for one lay member appointed by the Governor . . . the board shall publish widely in the State notice of all pending vacancies of the board.	H. 3666	<u>S. 872</u>	Tabled. <i>Passed Senate 4/29/82.</i> <i>Passed House 6/3/82.</i> R. 537.

<i>Description</i>	<i>House No.</i>	<i>Senate No.</i>	<i>Status</i>
Relating to reauthorization of the State Board of Physical Therapists . . . to provide for one lay member appointed by the Governor.	H. 3668	<u>S. 873</u>	Tabled. <i>Passed Senate 4/29/82.</i> <i>Passed House 6/3/82.</i> R. 514.
Relating to reauthorization of the S. C. Board of Examiners in Opticianry . . . to provide for two members of the general public who do not derive their income or support from any optical or related businesses or who are not related to any members of these professions, appointed by the Governor.	H. 3728	<u>S. 892</u>	Referred to House 3M 3/18/82. <i>Passed Senate 4/29/82.</i> <i>Passed House 5/20/82.</i> R. 485, signed by Governor, 6/3/82.
Relating to reauthorization of the S. C. Board of Examiners in Optometry . . . to provide for two members of the general public appointed by the Governor who do not derive their income or support from any optical or related business or who are related to any members of these professions.	H. 3729	<u>S. 893</u>	Referred to House 3M 3/18/82. <i>Passed Senate 4/29/82.</i> <i>Passed House 4/20/82.</i> R. 484, signed by Governor, 6/3/82.
Relating to the State Board of Social Workers registration, so as to provide for a lay member of the board.	<u>H. 3651</u>		<i>Passed House 3/18/82.</i> <i>Passed Senate 6/2/82.</i> R. 563.

<i>Description</i>	<i>House No.</i>	<i>Senate No.</i>	<i>Status</i>	
DRIVERS LICENSE:				
To provide that the license of a person seventy years or older would expire after two years (instead of four), reexamination reduced to two dollars.	H. 2575		Reported out Majority favorable, Minority unfavorable from House Education and Public Works. House contested Calendar 4/16/81.	
ESTATE AND GIFT TAXES:				
To amend the Code of Laws of S. C., 1976 relating to estate and gift tax to include provisions of the Internal Revenue Code of 1954 as amended, and applicable regulations, as amended by the Economic Recovery Act of 1981.	H. 3420		Referred to House Ways and Means Committee 1/21/81.	13
		S. 683	<i>Passed Senate 3/31/82.</i> Reported out favorable with amendment, H-W&M 5/18/82.	
FUNERAL SERVICES:				
To provide for the regulation and prescribe standards for funeral services, including embalmers and funeral directors and reconstitute the S. C. State Board of Funeral Service.	H. 2352		Reported out favorable, with amendment from House Medical, Military, Public and Municipal Affairs, up for second reading, objections 2/16/82.	

<i>Description</i>	<i>House No.</i>	<i>Senate No.</i>	<i>Status</i>
GRAND JURY: To exempt persons sixty-five years of age or over from Grand Jury duty.	H. 2453		<i>Passed House 5/12/81. Referred to Senate Judiciary Committee.</i>
HEALTH AND HOSPITALIZATION INSURANCE: To permit the insured to return a policy for any reason, and to have 30 days "free look" with full return premium.	<u>H. 2262</u>		Ratified 2/18/82. R. 298. Signed by Governor 2/24/82. Effective Date 2/24/82.
HEALTH AND HUMAN SERVICES FINANCE COMMISSION: To create the Health and Human Services Finance Commission which shall be the single and official state head in planning and development agency.	H. 3556	S. 761	Reported out favorable, House 3 Ref. to HW&M, 4/6/82. Referred to Senate Finance Comm. 2/4/82. Reported out Fav. 4/22/82. On Calendar with Objections.
HEARING AID DEALERS AND FITTERS: Relating to licensing to provide continuing minimum education requirements.	<u>H. 3909</u>		<i>Passed House 5/7/82. Passed Senate 6/2/82. R. 558.</i>

<i>Description</i>	<i>House No.</i>	<i>Senate No.</i>	<i>Status</i>
MEDICARE SUPPLEMENT INSURANCE:	H. 2990		Tabled.
To require that group Medicare Supplement Insurance meet federal minimum standards, including a seventy-five percent loss ratio.		<u>S. 777</u>	<i>Passed Senate 2/17/82.</i> <i>Passed House 4/6/82.</i> R.375. Signed by Governor 4/13/82.
PROBATE CODE:			
To provide for the S. C. Probate Code which consolidates and revises aspects of law in this state relating to the general probate jurisdiction, intestate succession and wills, probate of wills and will administration, local and foreign personal representatives, protection of persons under disability and their property, non-probate transfers, and trusts and trust administration.	H. 2587	S. 351	Reported out 3/19/81 as Senate Judiciary Committee Bill. Recommitted 3/25/81. Awaiting Reporter's comments. Referred to House Judiciary Committee 3/18/81.
REGIONAL TRANSPORTATION AUTHORITY:			
To provide for the activation and dissolution of such authorities . . . membership . . . funding.		S. 290	<i>Passed Senate 5/5/81.</i> Reported out favorable with amendment from House Education and Public Works 3/17/82. Objection 3/25/82.
RETIREMENT:		<u>S. 814</u>	<i>Passed Senate 3/18/82.</i> <i>Passed House 5/14/82.</i> Signed by Governor. R.452 5/25/82.
To reduce the maximum waiting period for cost of living increases for future retirees from 30 months to 24 months.			

Description

House No. Senate No.

Status

S. C. RESIDENTIAL LANDLORD AND TENANT
ACT:

H. 2539

To provide for the S. C. Residential Landlord Tenant Act
to protect tenants and landlords.

Reported out favorable with
amendment from House
Labor, Commerce and In-
dustry, 2/24/82, up for sec-
ond reading with objection.

VICTIMS COMPENSATION BOARD:

To establish the S. C. Victim Compensation Board which
shall administer a program of financial assistance and
awards to victims of crime.

H. 2435

Referred to House Judiciary
Committee 2/18/81.
Passed House 3/11/82.
Passed Senate 6/2/82.
R. 565.

VICTIMS:

To provide that persons committing crimes in which a
sixty year old victim or older receives serious physical
injury may be imprisoned for five years in addition to
other lawful punishment.

H. 3264

Passed House 5/14/82.
Ref. Senate Judiciary
5/19/82.

VI. STATUS OF COMMITTEE INTERESTS, GENERAL APPROPRIATION BILL, 1982-83

<i>Description</i>	<i>Budget and Control Board</i>		<i>House Passed</i>		<i>Approved Senate Passed</i>	
	<i>State Funds</i>	<i>Total Funds</i>	<i>State Funds</i>	<i>Total Funds</i>	<i>State Funds</i>	<i>Total Funds</i>
Community Long Term Care Project, DHEC	574,275	806,318	574,275	806,318	574,275	806,318
Statewide Care Management and Service Plan, Community Long Term Care, DSS	908,565	4,620,738	908,565	4,620,738	908,565	5,151,027
Medical Assistance Payments, DSS (includes amounts for CLTC-DSS)	68,895,138	303,791,541	69,185,138	304,081,541	70,185,138	308,032,973
Commission on Aging	1,315,892	11,166,430	1,315,892	11,166,430	1,315,517	11,158,916
Homestead Exemption						
Aid to Counties	12,000,000	12,000,000	12,000,000	12,000,000	12,000,000	12,000,000
Aid to Municipalities	3,400,000	3,400,000	3,400,000	3,400,000	3,400,000	3,400,000
Total	15,400,000	15,400,000	15,400,000	15,400,000	15,400,000	15,400,000
Committee to Study Public and Private Programs and Facilities for Aging	32,147	32,147	32,147	32,147	32,147	32,147
World War I Veterans Organization					2,358	2,358
Pre-Retirement Newsletter	14,422	14,422	14,422	14,422	14,422	14,422
Cost of Living Bonus State Retirees General Fund	900,000(1%)	900,000(1%)	900,000(1%)	900,000(1%)	1,800,000(2%)	1,800,000(2%)
Retirement Contributions Total	10,996,000	10,996,000	10,996,000	10,996,000	11,796,000	11,796,000
Health Insurance Benefits, Retirees	10,958,298	10,958,298	10,958,298	10,958,298	10,958,258	10,958,258
Interagency Council on Transportation	376,381	456,052	376,381	456,052	586,381	666,052
Home Health Services, DHEC ..	1,019,403	10,528,333	1,019,403	10,528,333	1,019,403	10,528,333

VII. SUMMARY OF ACTION ON VARIOUS ISSUES

Condominium Conversion:

Companion bills S.289 and H.2517 were introduced by Committee members on March 5, 1981. S.289, as amended, passed the Senate and was referred to the House Labor, Commerce and Industry Committee on February 2, 1982. It was not reported out by the Real Estate Subcommittee.

S. 289 as proposed in a basic bill which amends the Horizontal Property Act in order to protect the rights of tenants at the time of a conversion of rental units to condominium ownership.

The basic provisions as amended follow:

1. Due notice of conversion

The tenant must receive written notice of the planned conversion. Failure to give notice of conversion shall be a defense for the tenant in the event of eviction action within the 120 days he is allowed to remain from time of notice, unless the terms of the lease are violated (Sec. 27-31-420).

2. Right to remain in possession

The tenant will not be required to vacate for 120 days from the time of the notice of conversion, or until the expiration of his current lease, whichever is greater (Sec. 27-31-420 A).

3. Right of first refusal to buy

The tenant must be offered first refusal at the first price within 60 days (additional 60 days to consider). The unit may not be offered at a better price for an additional 50 days, unless first to tenant (10 days to consider). The tenant has the right to recover damages if these provisions are violated (Sec. 27-31-420 B).

4. Disclosure of physical condition of building

The tenant must receive along with the conversion notice a written report of the physical condition of the building, the cost of curing any building violations and a good faith estimate of the useful life of common elements. This estimate shall not constitute a warranty, nor shall it be deemed a representation of fact or inducement to purchase, or be used in action against the architect or engineer (Sec. 27-31-430). Failure to make such disclosure as required will violate the S. C. Uniform Trade Practice Act (Sec. 27-31-430).

5. Promotional Marketing

Prior to recordation of the master deed or lease the owner may inform the tenant(s) of the planned conversion and submit the dis-

closure items. This allows for promotional marketing and contractual presales before recordation (Sec. 27-31-420 A).

6. *Termination of a lease*

"Nothing in this section shall prevent termination of a lease according to law for violation of its terms." (Sec. 27-31-420 D).

7. *Termination of planned conversion*

The owner is not required to convert if, after giving the required notices, he cannot meet presale requirements or no longer wishes to convert (Sec. 3).

A question was raised as to whether the provision of S. 289, Section 27-31-420 unconstitutionally impairs the contract (lease) between landlord and tenant and/or whether this provision will result in a denial of due process to the owner or lessee of the building to be converted.

The portion of Section 27-31-420 to which the above question is addressed, is as follows:

... The tenant shall not be required to vacate the apartment until expiration of his lease or for one hundred twenty days following delivery of the notice, whichever is longer, and the terms of the tenancy shall not be altered during the one hundred twenty day period; ...

This Section was adapted from a similar provision (4-110) in the Uniform Condominium Act, drafted by the National Conference of Commissioners on Uniform State Laws and by it approved and recommended for enactment in all the states, 1977. The Uniform Condominium Act was approved by the American Bar Association, 1978.

An opinion on this matter was requested from the Attorney General. The full text may be obtained from the Committee office. An excerpt from his letter of June 17, 1981, follows:

"From review of that section of Senate Bill 289 about which you have inquired, it is the conclusion of this office that the proposed legislation is not constitutionally flawed as either impairing the obligation of contracts or as depriving the owner of his property without due process of law. This conclusion is based upon our opinion that the enactment of a regulatory scheme governing the condominium conversion is a valid and proper exercise of the police power of the State.

Further, the limited restrictions placed on the property owner who is seeking to convert to condominium ownership does not constitute a 'taking' of property within the meaning of the state and federal constitutional prohibitions against the taking of property without due process of law."

Efforts were made in 1980 to pass federal legislation to regulate condominium conversion. The Housing and Community Development Act of 1980. Public Law 96-399 (Oct. 8, 1980), as passed was much weaker than originally drawn.

U. S. Senate Bill S. 2719 attempted to establish minimum national rights and disclosure standards for the tenants of rental properties undergoing conversion. Much of this bill was deleted in conference. Portions regarding Federal Housing Administration Insurance, Optional Termination of Self-dealing Contracts and Civil Action; and Unconscionable Leases were retained. The section entitled "Condominium and Cooperative Conversions" addresses adequate notice and right of first refusal as a state and local government responsibility as follows:

Section 606, PL 96-399:

Sec. 606. It is the sense of the Congress that, when multifamily rental housing projects are converted to condominium or cooperative use, tenants in those projects are entitled to adequate notice of the pending conversion and to receive the first opportunity to purchase units in the converted projects and that State and local governments which have not already provided for such notice and opportunity for purchase should move toward that end. The Congress believes it is the responsibility of State and local governments to provide for such notice and opportunity to purchase in a prompt manner. The Congress has decided not to intervene and therefore leaves this responsibility to State and local governments to be carried out.

S. 289 and the companion bill H. 2517 as offered by the Committee fulfills this Congressional mandate. The Committee expects to pursue State legislation.

Probate Code

The Committee has strongly supported revision of the Probate Code and has worked cooperatively with the Joint Subcommittee of the House and Senate Judiciary Committees, chaired by Senator Heyward McDonald.

Professor James LeBlanc, U.S.C. School of Law was engaged by the Senate Judiciary Committee as a Reporter to annotate the revision as proposed (S. 351) as it relates to existing statutory and case law. Professor LeBlanc's work will be completed by August 15, 1982.

Consumer Representation

The Committee has worked for consumer representation with the Citizen Representation Project of the American Association of Retired Persons, Mr. Arthur J. H. Clement, Jr. State Coordinator. The project is in its second year of operation in six states: Florida, Georgia, South Carolina, North Carolina, Tennessee, and Virginia. It is funded by a grant from the Levi Strauss Foundation.

There are over 400,000 persons over age 60 in South Carolina. According to the Project, "one way these citizens express their concerns publicly is by voting. Another way, however, can and should be through adequate representation on a wide variety of boards and commissions which daily decide or advise on issues of great importance to the older population.

"Use of this segment of the electorate on boards and commissions which license the professions which serve us and on other types of boards is one way of making excellent use of the rich and well-endowed educational, experimental, and training backgrounds for retirees."

Resumes of eligible and interested persons have been transmitted by the Committee from the Project to the Governor's office and the Commission on Aging and circulated by the Project to private and non-profit agencies, boards, and advisory councils.

Mental Health

Committee members worked with the Joint Legislative Committee on Mental Health and Mental Retardation, chaired by Vice-Chairman Pat Harris, the Governor's Office of Health and Human Services, and the Department of Mental Health to secure legislation to address emergency and involuntary commitment procedures and transportation of patients.

Legislation was introduced by the Committee to allow transportation by friends and relatives (S-898) and was passed May 26, 1982. The bill (S-897) to provide for hearings and examinations before the Probate Court on the same day was passed June 3, 1982.

State Taxes

The Committee agreed to support legislation to equalize exemptions and deductions of gift and estate taxes to match current federal levels. The Tax Study Commission on which Senator Rubin serves introduced legislation (S. 683, H. 3420) recommending several changes in the State's Estate and Gift Tax Law, as a part of its annual package of proposed tax law revisions. An explanation by the Commission follows. "This action was, in part, reaction to revisions made by the Federal Government in the Economic Recovery Act of 1981.

"These two bills increase the rate of taxation by 1% while at the same time the legislation adopts several broader exemptions and deductions. The rationale for increasing the rate was to avoid a \$2,000,000 revenue loss that would occur if only the broader exemptions and deductions were adopted. Due to the dire financial picture of state revenue at this time, it was felt that the revenue loss would be too severe for the legislation's passage. The two major changes in exemptions and deduction are: (1) unlimited marital deduction—State law presently limits the marital deduction to \$250,000, and (2) the exempt gift limit is raised from \$3,000 to \$10,000.

"The adoption of these changes will make it easier for the State's taxpayers to plan their estates since the State and federal law conform to each other in several sections. One significant change that is not being proposed in this legislation is a change in the personal or specific deduction. State law limits this to \$120,000 while the Economic Recovery Act phases this to \$600,000 over the next four or five years. The major reason for not considering this at the present time is the revenue impact. It would drastically reduce the amount of revenue received from this source."

S. 683 has passed the Senate and House passage is expected.

The Committee introduced legislation to increase the income tax deduction for mileage for performance of volunteer duties from 9 to 18¢ to match the deduction allowed for business. This initiative was not given consideration this year. It is expected that efforts will be renewed in the next session.

Community Long Term Care Project

Community Long Term Care (CLTC) is a demonstration program of service and research that was developed to evaluate a community-based approach to long term health care. The project was initiated by the Study Committee on Aging and established by the

1978 General Assembly in order to provide information for planning state policies and programs to meet the needs of the aged and disabled. Community Long Term Care serves disabled adults who are Medicaid-eligible and live in Cherokee, Union, or Spartanburg Counties. A service management system and innovative community services are being tested as ways of helping disabled persons to remain at home. These services are provided as Medicaid benefits under waivers to Medicaid regulations in the project area.

Beginning in July 1982 a statewide system for needs assessment, level of care determination, service planning, service authorization and case management for Medicaid eligible elderly and disabled individuals who need skilled or intermediate level long term care services will be implemented.

Summary

COMMUNITY LONG TERM CARE

I. Duration

July 1978	Project legislated by South Carolina General Assembly.
October 1978	ARC Planning Grant Obtained.
January 1979	Project Planning Staff Hired.
July 1979-June 1980	Preoperational phase of project: Assessment form developed. Mandatory pre-admission screening policy implemented for nursing home applicants seeking Medicaid. Initial assessments for 726 potential clients. Service management for community-based clients, within existing services. No expanded community services under Medicaid.
November 1979	Conditional approval of Health Care Financing Administration to implement the demonstration under Medicaid waivers.
July 1980	Final approval of Health Care Financing Administration to implement the demonstration.
July 1980-June 1981	First year of operational phase: Experimental research design implemented with formation of experimental and

	control groups. 1479 persons referred to CLTC, 1133 individuals received initial assessment. Service management for 349 experimental clients. Providers enrolled to deliver expanded community services.
July 1981–June 1983	Continuation of Research and Demonstration activities in Spartanburg, Cherokee and Union.
July 1982–June 1983	Implement the CLTC Service Management System in other 43 counties.
July 1983–March 1984	Completion of research activities in 3-county project area.
July 1984–	Phase in of new community-based services proven effective in demonstration project.

II. Purpose

- A. CLTC Project—To gather information for planning policies and programs for long term care services in South Carolina. A service management system and other new community services are being evaluated for possible incorporation into the State's long term care system under Medicaid.
- B. CLTC Service Management System—To provide a statewide system for needs assessment, level of care determination, service planning, service authorization and case management for Medicaid eligible elderly and disabled individuals who need skilled or intermediate level long term care services.

III. Findings

A. CLTC Project to Date (July 1980–April 1982)

1. Participants: the Experimental Group receives expanded services; the Control Group receives existing services.	
Referrals	2650
Assessed	2059
Experimental Group Assignments	933
Experimental Group as of 4/30/1982	544
Control Group Assignments	903
Control Group as of 4/30/1982	466
Dropped out through:	
Death	468

Moved	104
Voluntarily withdrew	273
Not eligible for Medicaid	429
Did not meet project criteria	337

2. Use of Nursing Home Services

- As of April 30, 1982, 55% of experimental group who would be medically eligible for nursing home care at Medicaid expense were in the community. 5% were in the hospital and 40% institutionalized.
 - In FY 80-81, the experimental group used 6687 days and \$173,585 less in nursing home services than the control group.
- Project experimental group participants are happier because of their ability to remain in the community; they are living longer and, if they are institutionalized, they remain in the community longer than the control group before entering a nursing home.
 - In FY 1979-80. the project offered only assessment and service management services, i.e., no new waived services were available, 18% of those individuals who were assessed and provided service management and who were at nursing home level of care were able to be served in the community with *existing services*.

B. CLTC Service Management System

1. Participants by FY 83-84

Referrals	16,085
Nursing Home level of care	12,948
Service Management Clients	8,115
Dropped out through:	
Not Nursing Home level	1,870
Not Medicaid eligible	2,900
Death	3,200

2. Impact on Use of Nursing Home Services

- 15% of skilled and intermediate level of care patients applying for Medicaid sponsored nursing home services will be served in the community with *existing services*.
- 5% of the current nursing home resident population who are classified as "inappropriate" for nursing home care will be assisted with community placement.

- c. Based on the improved care of current Medicaid nursing home services and the availability of new community-based services in FY 84-85, *no additional nursing home beds for Medicaid clients* will be needed. *Net savings* or cost avoidance for the State is estimated to be \$38 million between FY 82-83 and FY 84-85.

IV. CLTC Service Management System Staffing

- A. FY 82-83 Total (by June 30, 1983) 124
 State Office (DSS) 8
 Area Offices (9) 116
 DSS (13)
 DHEC (103)
- B. FY 83-84 Total (by June 30, 1984) 147
 State Office (DSS) 8
 Area Offices (9) 139
 DSS (13)
 DHEC (126)
- C. All positions will be obtained from current agency allocations.
 No new positions.

V. Budget

- A. Total Budget—FY 82-83, as approved by the Senate Finance Committee

	<i>State Funds</i>	<i>Total Funds</i>
CLTC Project	\$574,275	\$806,318
Spartanburg, Cherokee, Union Counties—Dept. of Health and Environmental Control		
CLTC Statewide	\$908,865	\$5,151,027
Service Management System —Department of Social Services		

Retirement Income

The House of Representatives sustained the Budget and Control Board's recommendation of a 1% cost of living increase from the General Fund for state retirees. This was increased to 2% by action of the Senate Finance Committee.

Housing Facilities

In cooperation with the Commission on Aging, the Committee developed a directory of housing facilities for the elderly in the state.

More than two hundred facilities were surveyed, with over one hundred and twenty included in the directory. The information is compiled by county and region and includes number of units, eligibility requirements and amenities offered. Nursing homes, Home Health Agencies, Adult Residential Care facilities, Community Care Homes and State parks are also listed.

Copies of "Housing for Senior Citizens in South Carolina" will be available from the Committee in late June.

VIII. ACTIVITIES

Public Hearing

The Committee conducted a public hearing in Columbia on September 24, 1981 in the Senate Chamber. Thirty-one persons presented oral testimony and other testimony was submitted in writing.

Minutes of the hearing are available for review at the office of the Committee, 305 Gressette Building, Columbia, SC.

The facts and opinions presented by interested parties at the public hearing are considered by the Committee in determining its legislative priorities and recommendations.

Governor's Resource Panel on Long Range Planning for the Elderly

Executive Order No. 82-02 established the Resource Panel on the Elderly to specifically:

1. Assess the current economic, social and health status of the elderly in the state;
2. Determine goals for planning for and meeting the needs of the elderly over the next ten to twenty years; and
3. Make recommendations in attaining these goals.

The Committee's Research Director was asked to serve on the Community Service Options subcommittee of the Health Care and Services Committee. This subcommittee is chaired by Dr. Hilda Ross of the Department of Mental Health.

A report to the Governor is expected to be submitted in the fall of 1982.

Senior Citizens Day with the Legislature

Senior Citizens Day with the Legislature, March 3, 1982, attracted more than 350 participants. It was sponsored by the S. C. Federation of Older Americans, Mrs. Willie Saleeby, President, with the co-

operation of the Governor's Office, the Study Committee on Aging and the Commission on Aging.

The Steering Committee was chaired by Dr. J. Obert Kempson with Dr. C. Julian Parrish as Vice-Chairman. The Committee's Research Director served as co-chairman of the program committee with Ms. Estellene Walker.

Funding for the Day was provided by a mini-grant from Action and interested businesses, industries and individuals.

The Day began with the showing of "A Legislative Primer." This film depicts the South Carolina House and Senate in action. It is available for use in local communities from a member of the House of Representatives or from the House Research Office, 329 Blatt Building.

Participants observed either the House or Senate in session. Governor Richard W. Riley, former chairman of the Study Committee on Aging, was the luncheon speaker.

Workshops were held on various issues before the General Assembly. Legislators, agency personnel and legislative staff served as panelists. Senator Hyman Rubin, Chairman, moderated the Health Services workshop, which dealt with Health Issues for the Elderly, State Medicaid Programs, State Policies on Long Term Care, Medicare Benefits and Social Security. Representative Patrick Harris, Vice-Chairman, moderated the workshop on Retirement Benefits which dealt with Pending Legislation of Interest to Retirees, Laws that Benefit Retirees, and Government Dollars Servicing Older People Locally. Representative Parker Evatt, Committee member moderated the Employment and Volunteerism workshop. Subjects covered were the Retired Senior Volunteer Program, Volunteerism, and the Seek-a-Senior Employment Program. The other workshops were: Insurance, Legal Issues, Taxation, and Transportation.

Mr. Harry Bryan, Executive Director of the Commission on Aging, said that he felt that this event was one of the most successful programs ever put on by the Federation. Suggestions have been made to try to make it an annual event in May, which is Senior Citizens month.

Committee and Staff Liaison Activities

Members of the Committee and/or staff worked cooperatively throughout the year with the Health and Human Services Division of the Governor's Office, Commission on Aging, Tax Commission, Comptroller General's Office, State Housing Authority, Department

of Insurance, State Retirement System, Department of Social Services, Department of Health and Environmental Control, Governor's Council on Physical Fitness, State Library, Commission on Alcohol and Drug Abuse, Department of Education, Interagency Council on Public Transportation, Public Transportation Study Committee; Educational Referral Services, Department of Religious Studies, Social Problems Research Institute, College of Nursing, College of Social Work, and the College of Health of the University of South Carolina and the Clemson Extension Service, Clemson University.

Committee representatives on other committees are as follows: Vice-Chairman, Patrick Harris, Health Care Planning and Oversight Committee; Dr. Julian Parrish, Churches and the Aging Committee of the Commission on Aging, and the Advisory Council of the S. C. Federation of Older Americans; Ms. Bumgardner, Health Impaired Elderly Project of Community Care, Inc.

Committee members and/or staff regularly attend sessions of the following organizations interested in aging: American Association of Retired Persons/National Retired Teachers Association, South Carolina Advisory Committee to the U. S. Commission on Civil Rights, S. C. Federation of Older Americans, S. C. Gerontological Society, and the Christian Action Council.

Regular contact is maintained with committees and agencies of other states as well as with the Senate Special Committee on Aging and the House Select Committee on Aging of the U. S. Congress, on which 3rd District Congressman Butler Derrick serves.

Public presentations are made frequently by the Committee and staff to large and small community and church groups, conferences and workshops. Information about numerous aging issues and legislative action are distributed upon request to members and staff of the S. C. Legislature and other state legislatures, state agency personnel, national and state organizations and interested citizens. An update on legislation related to aging issues is produced periodically and distributed to the aging network by request from the Commission on Aging.

Legislative Intern Program

The Social Work Department of Columbia College placed a senior student, Karen Woods, with the Committee for the Winter quarter. This is the third year the College has used the Committee as a field placement for a social work student. Because of the mutual benefits

of these placements, the College and the Committee determined that such an internship would be regularly offered.

The Career Planning Office of Agnes Scott College through its alumnae program placed Gretchen Lindsay as a Spring Extern with the Committee for the week of March 22-26.

Appendix A

SOUTH CAROLINA VOTER STATISTICS, 65 AND OLDER GENERAL ELECTION, NOVEMBER 4, 1980

<i>County</i>	<i>Total Regis.</i>	<i>65 & Over Regis.</i>	<i>65 & Over Voted</i>	<i>65 & Over % Voted</i>
Abbeville	8,559	2,509	1,841	73.38
Aiken	46,069	5,587	4,454	79.72
Allendale	5,319	1,010	766	75.84
Anderson	46,381	8,987	6,987	77.75
Bamberg	7,409	1,623	1,226	75.59
Barnwell	9,475	1,643	11,176	71.57
Beaufort	24,004	4,297	3,596	83.69
Berkeley	30,020	3,081	2,412	78.29
Calhoun	5,080	991	771	77.80
Charleston	111,431	15,137	12,004	79.30
Cherokee	17,355	3,212	2,348	73.10
Chester	11,506	2,437	1,834	75.26
Chesterfield	15,778	2,988	2,066	69.14
Clarendon	13,545	2,019	1,638	81.13
Colleton	13,717	2,628	2,131	81.09
Darlington	26,497	3,410	2,533	74.38
Dillon	12,706	2,043	1,390	68.04
Dorchester	26,511	2,932	2,139	72.95
Edgefield	8,011	781	580	74.26
Fairfield	8,444	1,643	1,232	74.98
Florence	45,032	6,269	4,868	77.65
Georgetown	18,354	3,365	2,523	74.98
Greenville	107,140	15,283	12,362	80.89
Greenwood	22,046	4,071	3,201	78.63
Hampton	8,604	2,073	1,651	79.64
Horry	41,379	7,065	5,413	76.62
Jasper	7,155	1,214	970	79.90
Kershaw	16,576	2,600	2,072	79.69
Lancaster	19,800	3,451	2,590	75.05

*Appendix A—Continued*SOUTH CAROLINA VOTER STATISTICS, 65 AND OLDER
GENERAL ELECTION, NOVEMBER 4, 1980

<i>County</i>	<i>Total Regis.</i>	<i>65 & Over Regis.</i>	<i>65 & Over Voted</i>	<i>65 & Over % Voted</i>
Laurens	18,417	3,852	3,014	78.25
Lee	10,339	1,691	1,301	76.93
Lexington	57,919	5,957	4,622	77.59
McCormick	3,491	665	514	77.29
Marion	12,679	2,344	1,706	72.78
Marlboro	12,349	2,199	1,540	70.03
Newberry	13,035	3,315	2,676	80.72
Oconee	18,012	5,913	4,324	73.12
Orangeburg	36,439	6,016	4,733	78.67
Pickens	26,851	4,352	3,248	74.63
Richland	108,134	14,989	11,804	78.75
Saluda	6,660	1,481	1,118	75.49
Spartanburg	78,433	12,526	9,533	76.10
Sumter	31,951	3,677	2,859	77.75
Union	13,673	2,924	2,292	78.39
Williamsburg	18,474	3,120	2,353	75.42
York	34,762	5,432	4,183	77.01
TOTAL	1,235,521	194,802	150,594	77.31

*Appendix B*SOUTH CAROLINA 60 + POPULATION STATISTICS,
APRIL 1980

Compiled by the S. C. Commission on Aging from data supplied by the Research and Statistical Services Division.

South Carolina's 60 + population has grown by 45% since 1970, whereas the total state population increased only 20.4%.

	<i>South Carolina</i>		<i>United States</i>
	<i>1970</i>	<i>1980</i>	
Total population	2,590,516	3,119,208	226,504,825
Population 60+	286,272	415,962	35,629,844
Per cent of Population 60+	11.1%	13.3%	15.7%
Median Age	24.8	28.2	30

<i>County</i>	<i>1970 Population 60+</i>	<i>1980 Population 60+</i>
Abbeville	3,095	3,855
Aiken	9,685	14,685
Allendale	1,358	1,759
Anderson	14,024	20,487
Bamberg	2,149	2,838
Barnwell	2,287	2,955
Beaufort	3,495	8,158
Berkeley	3,605	7,180
Calhoun	1,578	1,993
Charleston	21,023	31,774
Cherokee	4,735	5,964
Chester	4,085	5,045
Chesterfield	4,066	5,742
Clarendon	3,011	4,229
Colleton	3,763	4,974
Darlington	6,020	8,508
Dillon	3,235	4,232
Dorchester	3,008	5,423
Edgefield	1,943	2,531
Fairfield	2,649	3,371
Florence	9,384	13,882
Georgetown	3,528	5,760
Greenville	27,529	39,651
Greenwood	6,363	9,317
Hampton	2,162	2,899
Horry	7,601	13,955
Jasper	1,548	2,139
Kershaw	4,058	5,560
Lancaster	4,769	7,506
Laurens	6,441	8,481
Lee	2,172	2,666
Lexington	8,157	14,517
McCormick	1,051	1,249
Marion	3,716	4,952
Marlboro	3,357	4,642
Newberry	4,854	6,177
Oconee	5,252	7,595
Orangeburg	8,386	11,900

<i>County</i>	<i>1970</i>	<i>1980</i>
	<i>Population 60+</i>	<i>Population 60+</i>
Pickens	6,609	10,202
Richland	21,934	30,048
Saluda	2,164	2,818
Spartanburg	21,968	30,466
Sumter	7,024	9,882
Union	4,111	5,161
Williamsburg	3,812	5,389
York	9,508	13,627
TOTAL	286,272	416,144

SOUTH CAROLINA POPULATION BY AGE, RACE, AND SEX
(APRIL 1, 1980)

	ALL RACES			WHITE			BLACK			OTHER RACES		
	BOTH SEXES	MALE	FEMALE	BOTH SEXES	MALE	FEMALE	BOTH SEXES	MALE	FEMALE	BOTH SEXES	MALE	FEMALE
TOTAL	3,119,208	1,516,905	1,602,303	2,145,122	1,056,231	1,088,891	948,146	447,637	500,509	25,940	13,037	12,903
Under 5 Years Old	238,487	121,732	116,755	145,588	74,797	70,791	90,219	45,536	44,683	2,680	1,399	1,281
5 - 9 Years Old	253,462	129,428	124,034	157,372	81,114	76,258	93,488	47,007	46,481	2,602	1,307	1,295
10 - 14 Years Old	266,068	135,429	130,639	164,429	84,457	79,972	99,543	49,907	49,636	2,096	1,065	1,031
15 - 19 Years Old	316,720	162,943	153,777	199,610	104,180	95,430	114,451	57,181	57,270	2,659	1,582	1,077
20 - 24 Years Old	312,715	159,349	153,366	210,342	110,341	100,001	98,841	46,902	51,939	3,532	2,106	1,426
25 - 29 Years Old	272,861	135,117	137,744	186,075	94,020	92,055	83,826	39,708	44,118	2,960	1,389	1,571
30 - 34 Years Old	243,601	120,614	122,987	175,034	88,133	86,901	65,726	31,194	34,532	2,841	1,287	1,554
35 - 39 Years Old	192,001	94,951	97,050	143,220	72,281	70,939	46,864	21,760	25,104	1,917	910	1,007
40 - 44 Years Old	158,325	76,624	81,701	118,434	58,531	59,903	38,487	17,419	21,068	1,404	674	730
45 - 49 Years Old	149,998	71,715	78,283	113,282	55,510	57,772	35,747	15,811	19,936	969	394	575
50 - 54 Years Old	149,142	70,045	79,097	112,114	54,053	58,061	36,351	15,708	20,643	677	284	393
55 - 59 Years Old	149,866	69,398	80,468	114,263	53,923	60,340	35,129	15,265	19,864	474	210	264
60 - 64 Years Old	128,675	58,306	70,369	95,427	43,812	51,615	32,873	14,348	18,525	375	146	229
65 - 69 Years Old	110,209	47,421	62,788	79,378	34,549	44,829	30,537	12,747	17,790	294	125	169
70 - 74 Years Old	79,278	31,586	47,692	58,676	23,302	35,374	20,359	8,191	12,168	243	93	150
75 - 79 Years Old	50,455	18,139	32,316	36,932	13,082	23,850	13,396	5,016	8,380	127	41	86
80 - 84 Years Old	27,344	8,700	18,644	20,636	6,440	14,196	6,658	2,248	4,410	50	12	38
85 Years Or Older	20,001	5,408	14,593	14,310	3,706	10,604	5,651	1,689	3,962	40	13	27
Under 15 Years Old	758,017	386,589	371,428	467,389	240,368	227,021	283,250	142,450	140,800	7,378	3,771	3,607
15 - 64 Years Old	2,073,904	1,019,062	1,054,842	1,467,801	734,784	733,017	588,295	275,296	312,999	17,808	8,982	8,826
65 Years or Older	287,287	111,254	176,033	209,932	81,079	128,853	76,601	29,891	46,710	754	284	470

Source: U.S. Bureau of the Census.

Appendix C

Summary of Legislation Enacted Through 1982 Recommended by
the Study Committee on Aging

AGING COMMITTEE

Establishment of Permanent Committee

The Committee to Study Public and Private Services, Programs and Facilities for the Aging has been continued as a permanent legislative study committee (Code 2-51-10, 1978).

COMMISSION ON AGING

Establishment of State Agency

The Interagency Council on Aging has been reorganized and designated the South Carolina Commission on Aging (Code 43-21-10, 1971).

EDUCATION

Establishment of the Community Education Advisory Council

The Community Education Advisory Council has been established to promote and coordinate the utilization of school and other community facilities to meet the needs of the community (Code 59-44-50, 1976).

Free Tuition at State Educational Institutions

State-supported colleges, universities and technical schools may permit South Carolina residents at least 60 years of age to attend classes on a space available basis without payment of tuition. Since January 1981, when this program was implemented at the University of South Carolina in the "Short Courses" division, enrollment by persons over 60 has doubled (Code 59-111-320, 1974, 1978).

HEALTH

Adult Abuse and Protection Act

Abuse, neglect or exploitation of a senile or developmentally disabled person has been prohibited. Protective services are provided (Code 43-29-40, 1974, 1976).

Community Long-Term Care Project

The Community Long Term Project located in Spartanburg, bly in June 1978. The purpose of the project is to gather information in Cherokee and Union Counties, was approved by the General Assem-

tion about the client impact, cost and utilization of new expanded community services and a case management system.

Creation of a Long-Term Care Division

The Long-Term Care Division has been established within the S. C. Department of Mental Health and is under the direction of a deputy commissioner (Code 44-9-50, 1976).

Establishment of Licensing Authority for Adult Day Care Centers.

The licensing authority for adult day care facilities has been established under the Department of Health and Environmental Control (Code 44-65-10, 1976).

Establishment of Hypertension Screening Clinic

The Department of Health and Environmental Control has established a network of Hypertension Screening and Treatment Clinics throughout the state to detect and treat hypertension (high blood pressure). This condition, often symptomless, occurs more than twice as often among people aged 65-80 than in the population as a whole (Appropriation Act, 1974-1975).

Establishment of a Monetary Penalty System for Health Care Facilities

A monetary penalty system has been established for the violation of licensing standards in hospitals, nursing homes, and intermediate care facilities (Code 44-7-360, 1976).

Exemption from Sales Tax on Prescription Drugs and Prosthetic Devices

In 1973, the General Assembly passed legislation to exempt those persons 65 years of age and older from paying sales tax on prescription drugs and prosthetic devices. This law was amended in 1974 to reduce the age to 50 (Code 12-35-560, 1973, 1974). In 1976, the sales tax on prescription drugs was repealed (Act 709).

Eyeglasses Discounts

Special discounts are not prohibited on purchases of spectacles, eyeglasses, lenses or any part used in connection therewith to persons over sixty-two years of age (Code 40-37-240, 1978).

Home Health Agency Licensure

Public, nonprofit and proprietary home health agencies have been required to be licensed by DHEC, (Code 44-69-10, 1978) and to obtain a Certificate of Need prior to licensure (Code 44-69-75).

Itemized Billing

Skilled nursing homes, intermediate care facilities and residential care facilities have been required to provide an item-by-item billing of all charges for all services to the patient or person paying the bill, on request (Code 43-27-40, 1975).

Medicaid Income Limitations

The state limitation on the maximum income a person may receive and be eligible for skilled and intermediate nursing care has been increased to be in line with the federal limitation (Appropriation Act, 1979-1980).

Nursing Home Administrators

The composition and qualification of the members of the Board of Nursing Home Administrators have been changed to establish licensure, educational and experience requirements. Continuing education has been mandated (Code 40-35-20, 1980).

Ombudsman

A Nursing Home Ombudsman who receives complaints or reports concerning patient care and who investigates and seeks to resolve complaints has been established in the Governor's office (Code 43-37-10, 43-37-20, 1977).

In 1980 these code sections were repealed, the title changed to Ombudsman and the duties and responsibilities broadened (Code 43-38-10, 43-38-50, 1980).

Regulation of Fitting and Selling of Hearing Aids

South Carolina statutes have been enacted which govern the licensing of persons who fit and sell hearing aids, and regulate the manner in which they conduct their business (Code 40-25-40, 1971, 1972, 1978). A representative of the general public has been added to the Hearing Aid Dealers and Fitters Commission within DHEC (Code 40-25-40, 1978).

HOMESTEAD TAX EXEMPTION

Homeowners who are 65 or older and have resided in the state for at least one year receive the benefits of a homestead tax exemption which provides that the first \$15,000 of the fair market value of the dwelling place, including mobile homes on leased land, shall be exempt from municipal, county, school and special assessment real

property taxes (Code 12-37-250, \$15,000—commencing July 1980, \$12,000—1978, \$10,000—1971).

Counties and municipalities are reimbursed by the state for losses they incur by reason of granting the exemption (Code 12-37-270, 280, 1971).

Applications for homestead exemption are purchased and distributed to the counties by the Comptroller General's office (Code 12-37-250, 1979).

The requirement for annual reapplication has been repealed. However, if a person's eligibility changes and the County Auditor is not notified, a lien or penalty may be imposed (Code 12-3-145, 12-37-255, 1981).

Exemption is provided for a surviving spouse 50 years of age or older. This exemption allows the surviving spouse nine months in which to obtain complete fee simple title to the homestead if spouse died intestate and to continue the exemption if the dwelling place is on leased land (Code 12-37-250, 1979).

The Homestead Exemption shall apply to eligible persons who own a dwelling in part in fee or in part for life and also a dwelling when the legal title is held by a trustee (Code 12-37-250, 1980).

The classification of property qualifying for the Homestead Exemption shall be residential and taxed on an assessment equal to 4% of the property's fair market value (Code 12-37-250, 1980).

Payment of real property taxes on or before March 15 following the year for which Homestead Exemption is claimed shall not be a condition to qualify for the exemption (Code 12-37-250, 1980).

Life estates shall qualify for Homestead Exemption when the person entitled to the exemption creates such an estate by conveying the remainder to the homestead in fee reserving to himself a life estate (Code 12-37-250, 1980).

Homestead Exemption shall apply to life estates created other than by will and on or before December 31, 1979 instead of December 31, 1971 (Code 12-37-250, 1980).

HOUSING

Establishment of State Housing Authority

A State Housing Authority has been established. Its purpose among others, is to encourage the growth of specialized housing for the elderly (Code 31-3-110, 1971).

Tax Exemption for Nonprofit Housing for the Elderly

Private, nonprofit organizations have been exempted from real estate taxes on property used as specialized housing for the elderly (Code 12-37-220, 1971).

INSURANCE

Standards of Readability

Department of Insurance regulations have been enacted to provide for minimum standards of readability of commonly purchased insurance policies (Code 38-3-61, 1979).

Medicare Supplement Insurance Regulations

Department of Insurance regulations have been enacted to eliminate unfair and deceptive practices in the promotion, solicitation, sale and replacement of individual accident and health insurance policies to persons who are qualified for Medicare by reason of age and to persons who have a current Medicaid eligibility card (Vol. 25—Rule 69-34.1.2, 1980).

JURY SERVICE

Age Discrimination Eliminated

The maximum age of 65 has been eliminated as a qualification for jury service (Code 14-7-140, 1974).

LEGAL AFFAIRS

Power of Attorney Extended

Whenever a person designates another his attorney by a power of attorney, this power has been extended, if the principal so desires in writing, so that it is not affected if he becomes incapable of managing his own estate due to physical disability or mental incompetence (Code 32-13-10, 1978).

RECREATION

Free Hunting and Fishing Licenses

Residents of South Carolina for at least one year who are 65 or older have been made eligible for free hunting and fishing licenses from the Department of Wildlife and Marine Resources. (Code 50-9-840, 1978).

Free Admission to Certain State Park Facilities

South Carolinians aged 65 or older have been granted free admission to state park facilities for which a charge is customarily made

(except overnight lodging, and recreation buildings) and are granted half-price admission to campsites (Code 51-3-60, 1973, 1975, 1979).

RETIREMENT

Cost-of-Living Increases in Retirement Benefits

Teachers, state employees and other public workers covered by the South Carolina Retirement System have been granted increased benefits from the system, not to exceed four percent, when the cost of living rises (Code 9-11-310, 1974).

Five percent increases in retirement benefits for state employees and teachers who retired prior to July, 1972 were included in the 1977 Appropriation Act.

A special fund has been created to administer the cost of living increase for retired members and beneficiaries of the system and to increase the employer rate of contribution (Code 9-1-100, 1980).

Establishment of Retirement and Pre-Retirement Advisory Board

A Retirement and Pre-Retirement Advisory Board has been established to review retirement and pre-retirement programs and policies, propose recommendations and identify major issues for consideration. Two of the members of the eight-member Board shall be retired (Code 9-120, 1976).

Mandatory Retirement

Any employee or teacher in service who has attained the age of seventy years shall be retired except that with the approval of the employer and the Board he or she may be continued on a yearly basis until reaching the age of seventy-two. (Code 9-1-1530, 1978, 1979).

Medical Insurance

The cost of medical insurance for retired state employees and teachers on the same basis as active employees, beginning July 1, 1980 has been assumed by the State (Appropriation Act, 1979-80).

Pre-Retirement Education

A Pre-Retirement Education program for state employees, administered by the State Retirement System, has been established (Appropriation Act, 1979-80).

Twenty-nine seminars were held from June 1981 through May 1982, for state agencies, educational institutions, and local governments. Sixty-eight percent of the 918 participants were 55 or older.

The newsletter, *Systems Update*, is published semi-annually and circulated to 176,303 active members and retirees. Of this number 48,241 individuals are 55 and older, representing approximately 37% of all active and retired members of the S. C. Retirement System.

Reciprocal Agreements

The State has been allowed to enter into a reciprocal agreement with another state to refrain from taxing retirement income (Code 12-7-565, 1976).

Retirement After 30 Years of Service

Members of the South Carolina State Retirement System may retire at 65 years of age or after 30 years of service (Code 9-1-1510, 1975).

TRANSPORTATION

Interagency Council

The Interagency Council on Transportation has been established to give advice and make recommendations to the Department of Highways and Public Transportation and to the General Assembly on all matters related to public transportation in the State. Member agencies and offices are:

Office of the Governor, Officer of the Lieutenant Governor, Regional Transportation Authorities, S. C. Association of Counties, S. C. Assn. of Regional Planning Councils, S. C. Commission on Aging, S. C. Department of Education, S. C. Dept. of Hwy. & Publ. Trans., S. C. Parks, Recreation and Tourism, S. C. Dept. of Social Services, S. C. Dept. of Vocational Rehabil., S. C. Division of Energy Resources, S. C. House of Representatives, S. C. Motor Vehicle Management Off., S. C. Senate (Code 57-3-1010, 1978).

Appendix D

No. 402

(R420, H3247)

An Act to create a Permanent Committee to conduct continuing Studies of Public and Private Services, Programs and Facilities for the Aging.

Be it enacted by the General Assembly of the State of South Carolina:

Findings

Section 1. The General Assembly finds that the Committee to Study Public and Private Services, Programs and Facilities for the

Aging, originally created by H. 1286 of 1969 and continued by concurrent resolution through 1977, fulfills a necessary and continuing legislative need and that the functions of the committee can be more properly fulfilled by a permanent committee.

Committee Created

Section 2. There is created a permanent committee to conduct continuing studies of public and private services, programs and facilities for the aging in South Carolina and report its findings and recommendations annually to the General Assembly. Three members shall be appointed from the Senate by the President thereof, three members shall be appointed from the House of Representatives by the Speaker and three members shall be appointed by the Governor. Terms of legislative members shall be coterminous with their terms as members of the General Assembly and terms of members appointed by the Governor shall be coterminous with the term of the appointing Governor. Members of the committee shall receive mileage, per diem and subsistence as provided by law for members of boards, committees and commissions. Expenses of the committee shall be provided by an annual appropriation in the general appropriation act. The Legislative Council shall provide such legal services as the committee may require in the performance of its duties.

Time Effective

Section 3. This act shall take effect upon approval by the Governor.

Approved the 14th day of February, 1978.

Appendix E

Study Committee on Aging Members Since 1959

1959-60 Representative Martha Fitzgerald, Chairman
 Senator Wilbur G. Grant
 Senator John D. Long
 Representative E. Forte Wolfe

Gubernatorial Appointees:

Dr. Wil Lou Gray
 Mr. O. T. Wallace
 Miss Nell Watson

1960-61 Representative Martha Fitzgerald, Chairman
 Senator Wilbur G. Grant
 Senator John D. Long
 Representative T. Ed. Garrison

Gubernatorial Appointees:

Dr. Wil Lou Gray

Mr. O. T. Wallace

Miss Nell Watson

1962

Senator Wilbur G. Grant

Senator John D. Long

Representative E. Windell McCrackin

Representative T. Ed Garrison

Gubernatorial Appointees:

Dr. Wil Lou Gray

Mr. O. T. Wallace

Miss Nell Watson

1969-71

Sen. Richard W. Riley, Chairman

Rep. Isadore Lourie, Vice-Chairman

Rep. James E. Moore, Secretary

Sen. J. Kenneth Rentiers

Sen. Hyman Rubin

Rep. Patrick B. Harris

Gubernatorial Appointees:

Mr. Harry R. Bryan

Rev. I. DeQuincey Newman

Mr. R. Carl Woodle

1972

Sen. Richard W. Riley, Chairman

Rep. Isadore Lourie, Vice-Chairman

Rep. James E. Moore, Secretary

Sen. J. Kenneth Rentiers

Sen. Hyman Rubin

Rep. Patrick B. Harris

Gubernatorial Appointees:

Father William Pentis

Rev. I. DeQuincey Newman

Mr. James Richmond Driggs

1973-74

Sen. Richard W. Riley, Chairman

Rep. James E. Moore, Vice-Chairman

Rep. Patrick B. Harris, Secretary

Sen. Hyman Rubin

Sen. Edward Saleeby

Rep. Giles P. Cleveland

Gubernatorial Appointees:

Father William Pentis

Rev. I. Dequincey Newman

- Mrs. B. J. Blackwell
- 1975 Sen. Richard W. Riley, Chairman
Rep. James E. Moore, Vice-Chairman
Rep. Patrick B. Harris, Secretary
Sen. Hyman Rubin
Sen. Edward Saleeby
Rep. Eugene S. Blease
Gubernatorial Appointees:
Father William Pentis
Rev. I. DeQuincey Newman
Ms. Dorothy M. Blackwell
- 1976 Sen. Richard W. Riley, Chairman
Rep. James E. Moore, Vice-Chairman
Rep. Patrick B. Harris, Secretary
Sen. Hyman Rubin
Sen. Edward E. Saleeby
Rep. Eugene S. Blease
Gubernatorial Appointees:
Rev. James E. Alewine
Mr. George E. Carlton
Mrs. June B. Furman
- 1977 Sen. Hyman Rubin, Chairman
Rep. Patrick B. Harris, Vice-Chairman
Sen. T. Dewey Wise
Sen. John H. Waller, Jr.
Rep. Eugene S. Blease
Rep. H. Parker Evatt
Gubernatorial Appointees:
Mr. George E. Carlton, Secretary
Rev. James E. Alewine
Mrs. June B. Furman
- 1978 Sen. Hyman Rubin, Chairman
Rep. Patrick B. Harris, Vice-Chairman
Sen. T. Dewey Wise
Sen. John H. Waller, Jr.
Rep. Eugene S. Blease
Rep. H. Parker Evatt
Gubernatorial Appointees:
Rev. James E. Alewine

- Mrs. June B. Furman
Dr. C. Julian Parrish
- 1979 Sen. Hyman Rubin, Chairman
Rep. Patrick B. Harris, Vice-Chairman
Sen. T. Dewey Wise
Sen. John H. Waller, Jr.
Rep. Hudson L. Barksdale
Rep. H. Parker Evatt
Gubernatorial Appointees:
Rev. James E. Alewine
Mrs. June B. Furman
Dr. C. Julian Parrish
- 1980 Sen. Hyman Rubin, Chairman
Rep. Patrick B. Harris, Vice-Chairman
Sen. William W. Doar, Jr.
Sen. John H. Waller
Rep. Hudson L. Barksdale
Rep. H. Parker Evatt
Gubernatorial Appointees:
Rev. M. L. Meadors, Jr.
Dr. C. Julian Parrish
Mrs. Gloria H. Trowell
- 1981-82 Sen. Hyman Rubin, Chairman
Rep. Patrick B. Harris, Vice-Chairman
Sen. William W. Doar, Jr.
Sen. Peden B. McLeod
Rep. Hudson L. Barksdale
Representative H. Parker Evatt
Gubernatorial Appointees:
Rev. M. L. Meadors, Jr.
Dr. C. Julian Parrish
Mrs. Gloria H. Sholin

Copies of this report may be obtained from :

Keller H. Bumgardner

Director of Research and Administration

Study Committee on Aging

P. O. Box 142, 305 Gressette Building

Columbia, South Carolina 29202

Telephone: (803) 758-3500